GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Revenue Department - Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry now retired - Disciplinary proceedings under rule - 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Articles of charge - Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.728 **Dated: 10.08.2023**

Read:

G.O.Ms.No.392, Revenue (Vigilance. I) Dept., Dt: 10.08.2023

ORDER:

In pursuance to the G.O read above, it is proposed to hold an enquiry against Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry now retired with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry are proposed to be held is set out in the enclosed statement of Articles of Charges (Annexure - I). A list of documents by which, and a list of witnesses by whom the articles of charges are proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry, now retired is directed to submit a written statement of his defense within 10 days of receipt of this order.

4. Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry, now retired is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry, now retired is further informed that if they do not submit his written statement of defense on or before the date specified in para 3 above further action will be processed based on the material available.

6. Attention of Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry, now retired invited to Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry now retired is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964.

7. The receipt of the Memorandum may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry, now retired (Through the Chief Commissioner of Land Administration, A.P., Mangalagiri for service and to return the served copy with dated acknowledgement immediately (By RPAD))

The Chief Commissioner of Land Administration, A.P., Mangalagiri.

Copy to:

The District Collector, East Godavari District

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI M. JITENDRA, THE THEN REVENUE DIVISIONAL OFFICER, RAJAMUNDRY NOW RETIRED PRESENTLY WORKING AS REVENUE DIVISIONAL OFFICER. NARSIPATNAM, ANAKAPALLI DISTRICT.

Article of charge:

That the said Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry (now retired) while working as Revenue Divisional Officer, Rajahmundry, has made an unauthorized agreement between both parties in equal share of the assigned lands, failed to pass restoration/resumption orders under POT Act and also instructed the Tahsildar to issue PPBs to the purchasers based on the agreement in contradiction to the Rules. The orders/instructions issued by him are in violation of POT Rules thereby resulting the purchasers having got right through obtained PPB/TDs in assigned land and received land compensation. Without prior permission and approval of the competent authority, he took decisions to share the assigned lands among the assignees and purchasers through un authorized agreement which does not have statute and it reveals his highhandedness and not abiding the rules farmed by the Government. As per the Classification, Control & Appeal and DOM rules every government servant should discharge his duties as per the within the Government rules. In this instant case it is clearly established that the delinquent officer has violated in contravention of Sub - sec1 of Sec.3 of the POT Act and caused for payment of land compensation amount to the purchasers.

Thus, Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry (now retired) while working as Revenue Divisional Officer, Rajahmundry by his above mentioned acts, has failed to discharge his legitimate duties, showed negligent attitude in protecting the interests of the Government and carelessness in official duties, which is unbecoming of a Government Servant. Thus the individual has violated Rule 3-B of A.P. Civil Services (Conduct) Rules, 1964.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. JITENDRA, THE THEN REVENUE DIVISIONAL OFFICER, RAJAMUNDRY NOW RETIRED.

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On receipt of five complaints from Sri Inapurapu Suryanarayana, R/o Kakinada which was filed before the Hon'ble Lokayuktha, Hyderabad for conduct of enquiry on the Officers who are not followed due process in payment of compensation to the assignees of Krishnunipalem Village of Gokavaram Mandal under Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. As per the instructions of the erstwhile District Collector, the erstwhile Joint Collector- RB&R, E.G has conducted enquiry and submitted report.

Allegations:

1. Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry (now retired) has convened a meeting with both the parties i.e., purchasers and original assignees of Ac.5.52 cts in Sy.No.402/2 & 402/3 of Krishnunipalem village, Gokavaram mandal. Without prior permission and approval of the competent authority and took the decisions to share the assigned lands among the assignees and purchasers through un authorized agreement which does not have any statute reveals his highhandedness and not abiding the rules farmed by the Government and to share the lands half of each to the purchaser and original assignees i.e. Ac. 0.25 cts each and out of the POT Act & Rules which are not enforceable as per law.

2. Further, Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry (now retired) had instructed the then Tahsildar, Gokavaram to issue revised Pattadar Passbook and Title Deeds to the beneficiaries duly cancelling the previous passbooks issued if any vide D.Dis.D/4314/2008, Dt.17.09.2008 is against the rules and done injustice to the assignees who is in a position to implement the rules framed under POT Act.

3. The then Tahsildar, Gokavaram has issued Pattadar Pass Books to the purchasers which is contrary to the A.P. Assigned Lands (POT) Act, 1977 and Rules and caused payment of land compensation amount to the ineligible persons.

4. Being a responsible Government Servant and being discharging Revenue Divisional Officer duties it is bound his duty to dispose the case by following due procedure as per the Acts & Rules, but he has not followed the procedures and instructed the subordinate officers to issue passbooks and title deeds in wrongful manner. The failure of the RDO in performing of his legitimate duties and giving directions for issuance of PPB & TDs leads in payment of Government money to the ineligible persons and causing legal litigations.

The Joint Collector (RB&R), Erstwhile East Godavari District while submitting his Abstract of Recommendations against all the delinquent officers involved in this case, have stated that Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry (now retired) has made an unauthorized agreement between both parties in equal share of the assigned lands, failed to pass restoration/resumption Orders under POT Act and also instructed the Tahsildar to issue PPBs to the purchasers based on the agreement in contradiction to the Rules..

While stating as above, The Joint Collector (RB&R), Erstwhile East Godavari District has recommended Disciplinary action under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 against Sri M.Jitendra, the then Revenue Divisional Officer, Rajahmundry (now retired)

Hence the charge.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. JITENDRA, THE THEN REVENUE DIVISIONAL OFFICER, RAJAMUNDRY NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

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1) Lokayukta Complaints No.93, 94,100,101,102 of 2022, dt.01.02.2022 filed before Hon'ble Lokayukta, Hyderabad.
2) Report of the Enquiry Officer & Erstwhile Joint Collector -RB&R, East Godavari District, Kakinada vide Ref.A5/52/2022, dt.26.03.2022.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. JITENDRA, THE THEN REVENUE DIVISIONAL OFFICER, RAJAMUNDRY NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

-NIL-

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER